



## ATTACHMENT A Remarks

Claims 1-3 and 5-16 stand pending in the present application. By this Amendment, Applicants have amended claim 1 and canceled claim 4. Applicants respectfully submit that the present application is in condition for allowance based on the discussion which follows.

Claims 1-13 and 16 were rejected under 35 U.S.C. § 112, second paragraph, as being vague with regard to a BPSG layer and its etch rate. For example, the Examiner alleges that the etch rate of the BPSG layer is dependant upon the concentration of boron and phosphorous in the BPSG layer.

Contrary to the Examiner's allegation, Applicants' recitation of a BPSG layer is not vague as the term is used in a manner consistent with its usage as would be understood by one of ordinary skill in the art. Evidence of this is provided by the reference "Next Generation Very-Large-Scale Integrated Circuit Technology" and partial English translation provided herewith in Attachment C. Table 1 of this reference indicates that the total concentration of boron (B) and phosphorous (P) ranges from about 15 to about 21 mol%. Figure 3 of this reference shows that the reflow angle is changed slowly when  $(B_2O_3 + P_2O_5)$  mol% is not less than about 15 mol%. In addition, the reference discloses that for achieving a lowering reflow temperature, hygroscopicity and corrosive properties, total mol% of B and P and also mol% of P are substantially defined within a certain range. Therefore, this reference supports Applicants' argument that the recited BPSG layer and etch rate are not vague and therefore, the claims are not indefinite for reciting a BPSG layer and etch rate.

In addition, claim 1 was rejected under 35 U.S.C. § 112, second paragraph, for reciting the term "hydrogenfluoride salt". By this Amendment, Applicants have amended claim 1 to now recite "hydrogen fluoride salt" thereby obviating the rejection.

Finally with regard to the 35 U.S.C. § 112 rejections, it was indicated that it was unclear as to whether the solvent consists of water alone or if water was intended to be included in conjunction with other constituents of the solvent. By this Amendment, Applicants have amended claim 1 to more clearly recite the specific constituents in the solvent which are either an organic solvent or an acid which may or may not also include water.

Based on the foregoing, Applicants respectfully request that the rejection to claims 1-3, 5-13 and 16 under 35 U.S.C. § 112, second paragraph, be withdrawn.

Claims 1 and 2 were rejected under 35 U.S.C. § 102(b) as being anticipated by Okamura (JP 09-148,301). Claim 4 was not rejected on prior art grounds. By this Amendment, without addressing the merits of the rejection of claims 1 and 2, and in order to move this case forward to allowance, Applicants have amended claim 1 to include the subject matter of claim 4. As a result, claim 1 now recites that the solvent contains molecules having a hetero atom. Accordingly, Applicants respectfully submit that claims 1 and 2 as amended are not anticipated by Okamura. Therefore, Applicants respectfully request that the rejection of claims 1 and 2 under 35 U.S.C. § 102(b) be withdrawn.

In view of the foregoing, Applicants respectfully submit that the present application is in condition for allowance.

**END REMARKS**